

L. Burke Files, DEECACM

POB FEDERAL ELECTION
Tempe, Arizona 85281 COMMISSION

2016 FEB 29 AM 11: 37

24 February 2016

Office of the General Counsel
Federal Elections Commission
999 E Street, N.W.
Washington D.C. 20463

OFFICE OF GENERAL
COUNSEL

MUR # 7020

Re: Complaint against Respondents Paul Babeu (H2AZ04127) and Paul Babeu for Congress (C00588673)

February 23, 2016

To whom it may concern:

I, Robert Phillips, Vice President of Henry Alan, LLC, a federal compliance consulting firm, operating at 5822 Crighton Drive, Dublin, Ohio, 43016, files this complaint with the Federal Election Commission in accordance with the provisions of 52 USC § 30109(a)(1) in the belief Paul Babeu (Candidate), and Paul Babeu for Congress (Committee) violated provisions of the Code of Federal Regulations.

Facts:

On October 5, 2015, the Candidate announced that he was running for United States Congress, as detailed in an article dated October 8, 2015 by www.azcentral.com (Exhibit A). Another article specifically mentions October 5, 2015 as the day that the Candidate announced his candidacy (Exhibit B). It is not until January 31, 2016 that any Statement of Candidacy is filed (Exhibit C). To make matters worse, the original Statement of Candidacy was amended on February 4, 2016 because the Candidate improperly filed in AZ-4 instead of AZ-1 (Exhibit D).

Continued violations carried over to the Committee itself when the original Statement of Organization filed on October 5, 2015 was amended on January 28, 2016, improperly switching the District from AZ-1 to AZ-4 (Exhibits E & F). The Committee amended the Statement of Organization yet again, changing the District back to AZ-1 on February 10, 2016 (Exhibit G).

Applicable Regulations:

According to 11 CFR § 101.1, within 15 days of becoming a candidate, one must designate a principle campaign committee. This designation is typically made by filing a Statement of Candidacy (FEC Form 2).

L. Burke Files, DDP CACM

POB 27346

Tempe, Arizona 85282

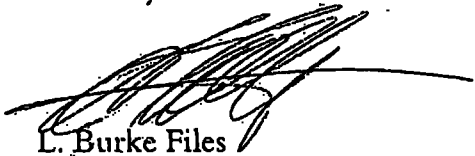
According to 11 CFR § 102.1, within 10 days of being designated as the candidate's committee, said committee must file a Statement of Organization (FEC Form 1).

Conclusion:

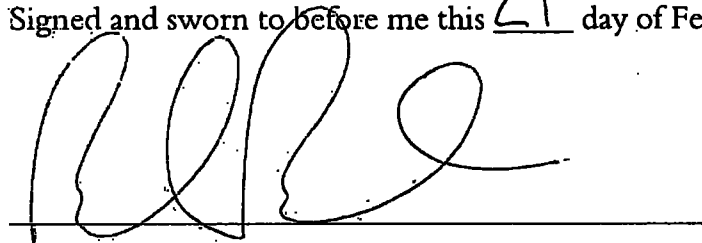
Due to the Candidate delaying more than the 15 days allotted by 11 CFR § 101.1, and in fact waiting approximately 3 months to file a Statement of Candidacy, there has been a clear violation of the Code of Federal Regulations. At the same time, original and amended Statements of Organization and Statements of Candidacy put the Candidate in a position of campaigning during January and February of 2016 in AZ-1 while actually being registered as a candidate for District 4. This also shows a violation of 11 CFR § 101.1 and 11 CFR § 102.1 as there was not a proper Committee designated or organized to campaign in AZ-1 during parts of January and February of 2016.

This Committee and Candidate have confused me initially by a lack of filings, and then by numerous, improper filings as to whether they plan to run a campaign at all, let alone campaign in the proper district. I appreciate your attention and thank you for your consideration in this matter.

Sincerely


L. Burke Files

Signed and sworn to before me this 24th day of February, 2016.





Pinal County Sheriff Paul Babeu announces run for Congress

 [Rebeckah L. Sanders, The Republic | azcentral.com](#) 2:04 p.m. MST October 8, 2015

Babeu, a GOP border-security hawk, is launching his second bid for the 1st District seat left open by Rep. Ann Kirkpatrick's Senate campaign.



(Photo: Jack Kurtz, The Arizona Republic)

Pinal County Sheriff Paul Babeu is set to launch a campaign for Congress on Monday, a renewed effort to represent a rural Arizona seat after dropping out of a congressional race three years ago.

The Republican lawman, who on a recent tour of the border showed GOP presidential candidate Ben Carson ([/story/news/politics/immigration/2015/08/19/ben-carson-militarized-border-arizona-visit/32029565/](#)) holes in the U.S.-Mexico fence, said he will continue to fight federal inaction on illegal immigration if elected to represent Arizona's 1st District.

"It's time to bring that fight directly to Washington," Babeu said. "People don't want to send the same politicians to Washington to get the same failed policies. ... They want to send politicians they can trust with change."

170444112555

The swing district's seat is open as U.S. Rep. Ann Kirkpatrick, D-Ariz., runs for Senate, creating a draw for candidates. Already running on the GOP side are oilman Gary Kiehne and former Arizona Secretary of State Ken Bennett. Tom O'Halleran is running as a Democrat after serving in the Legislature as a Republican. Other candidates are expected to jump in as well.

Babeu signaled his interest in running over the last year by forming a political action committee ([/story/azdc/2014/12/05/babeu-launches-federal-pac/19976957/](#)) and a "dark money" group ([/story/news/politics/azdc/2015/08/26/dark-money-group-paul-babeu/32366313/](#)) dedicated to border issues.



AZCENTRAL

Montini: Sheriff Underpants in Congress? Thank you.

(<http://www.azcentral.com/story/opinion/op-crl/cj-montini/2015/10/05/montini-sheriff-paul-babeu-sen-john-mccain-congress-anne-kirkpatrick/7338336/1>)

"This is the district I am hoping and planning to flip to go from Democrat to Republican," after two terms in Kirkpatrick's hands, Babeu said. "You're going to have a representative that votes for a balanced budget, that's going to take the tough votes on entitlements, a representative who understands the (Environmental Protection Agency) needs to deal fairly with Arizona."

The vast rural district, which includes Flagstaff, suburbs of Tucson and the Navajo Reservation, is one of the largest in the country.

Babeu was first elected as sheriff in 2008. He has also served 20 years in the Army National Guard. He deployed to Iraq and commanded a mission to the Mexico border that drove down illegal crossings.

In 2012, a Mexican former boyfriend alleged that Babeu's attorney threatened to have him deported if he revealed their relationship. A state investigation exonerated Babeu ([/news/politics/articles/20120831no-charges-pinal-sheriff-babeu.html](#)), but the incident eroded his support and he dropped out of the race.

Babeu said he regrets not publicly sharing earlier that he is gay, which he thinks might have prevented some of the controversy.

But Babeu said his support continues to be high.

"That was a very difficult time for me personally and politically," he said. "I had to survive through that and keep in mind that we got more votes than anyone elected in my county, including (2012 Republican presidential candidate Mitt Romney). ... I trust the voters to judge me on my performance, my merit and my contributions to the community."

Babeu said he supports the recent Supreme Court decision to legalize marriage for same-sex couples. When asked about Kim Davis, the Kentucky county clerk who was briefly jailed for refusing to grant licenses to gay couples based on her religious beliefs, Babeu said all laws must be enforced.

"The rule of law is the basis of our civilization. Let's (as a country) move on. There are far more important and pressing issues facing us," he said.

National Democrats took shots at the sheriff as well as Arizona House Speaker David Gowan, who announced his entry (<http://t.co/1KofjPNYXk>) into the Republican race a few hours after Babeu.

"Paul Babeu and David Gowan getting into this race creates a four-way primary that will be a disaster for Arizona Republicans," Democratic Congressional Campaign Committee spokesman Tyler Law said. "The late primary date guarantees a very long, divisive, and expensive primary that will send the Republican nominee limping into the general election."



Sheriff Paul Babeu with GOP presidential candidate Ben Carson. (Photo: The Republic)

Read or Share this story: <http://azc.cc/1RqDf1z>

WHY AREN'T MORE 62+ HOMEOWNERS TAKING ADVANTAGE OF REVERSE MORTGAGE?							
Calculate New Payment							
Tap Your Age:	18-25	26-35	36-45	46-55	56-65	66-75	OVER 75

P

Pinal County's Paul Babeu filed to run in wrong congressional district

POLITICAL INSIDER (<http://www.azcentral.com/blog/politicalinsider/>)

Rebekah L. Sanders (<http://www.azcentral.com/story/16903/rebekah-l-sanders/>), The Republic | azcentral.com 3:35 p.m. MST February 10, 2016



Pinal County Sheriff Paul Babeu is running for Congress in the 1st District. (Photo: Deirdre Hamill/The Republic)

Pinal County Sheriff **Paul Babeu** filed to run for Congress in the wrong district in a series of paperwork errors that have added to issues plaguing the Republican hopeful.

Babeu announced he was running for the 1st District seat on Oct. 5. His statement of organization correctly noted he planned to run in the 1st District.

But his campaign failed to file a statement of candidacy within the 15 days required by the Federal Election Commission, as first reported by 3TV.

Babeu's campaign filed that form about three months late, in January. At the time, it incorrectly listed the 4th District on the form and his statement of organization was updated to incorrectly list the 4th District.

The statement of candidacy has since been changed to the 1st District, but his statement of organization is still incorrect.

Spokesman **Barrett Marson** told 3TV that Babeu is still a 1st District candidate despite his paperwork issues.



AZCENTRAL
5 things we learned about candidate fundraising this week

(<http://www.azcentral.com/story/news/arizona/politics/2016/02/05/5-things-we-learned-candidate-fundraising-week/79855120/>)

17044412558

The fumble adds to problems Babeu is facing in his second run for Congress. Though he maintains a formidable fundraising advantage, he is battling five Republican opponents in the primary for the sprawling eastern Arizona district.

Questions about Babeu's knowledge of harsh discipline at a private school for troubled teens that he directed have resurfaced. The allegations (<http://archive.azcentral.com/arizonarepublic/news/articles/2012/02/29/20120229babeu-legal-trouble-dogged-school-massachusetts.html#ixzz3yOiPC2AC>) also arose during his doomed 2012 House bid.

A home video, aired by ABC 15 last month, shows Babeu in 1999 praising the discipline methods ([/story/news/arizona/politics/2016/01/26/video-shows-pinal-county-sheriff-paul-babeu-praising-harsh-student-discipline/79370808/](http://story/news/arizona/politics/2016/01/26/video-shows-pinal-county-sheriff-paul-babeu-praising-harsh-student-discipline/79370808/)) at the Massachusetts school. U.S. Rep. Katherine Clark, D-Mass., an attorney who investigated the school, said Babeu knew of the abuse and helped to stonewall the case. Babeu responded that he was not a principal in the investigation and didn't oversee discipline.



AZCENTRAL
Video shows Pinal County Sheriff Paul Babeu praising harsh student discipline

(<http://www.azcentral.com/story/news/arizona/politics/2016/01/26/video-shows-pinal-county-sheriff-paul-babeu-praising-harsh-student-discipline/79370808/>)

Babeu isn't the only candidate in the race running into problems.

A fellow Republican in the race, Arizona House Speaker David Gowan, has faced criticism for logging thousands of miles (<http://azcapitoltimes.com/news/2016/01/08/mystery-mileage-house-lawmakers-staff-log-tens-of-thousands-of-miles-in-government-cars-on-arizona-trips/>) in state cars while he was campaigning in the 1st District. A Gowan spokeswoman told the *Arizona Capitol Times* the trips were for official business.

Read or Share this story: <http://azc.cc/1TdVbj>

Image# 201601319004998874

FEC FORM 2

STATEMENT OF CANDIDACY

1. (a) Name of Candidate (In full) PAUL RAYMOND BABEU		
(b) Address (number and street) 270 E HUNT HWY SUITE 16 #103		<input type="checkbox"/> Check if address changed
(c) City, State, and ZIP Code SAN TAN VALLEY AZ 85143		2. Candidate's FEC Identification Number H2AZ04127
4. Party Affiliation REPUBLICAN PARTY		5. Office Sought House
6. State & District of Candidate AZ 04		

DESIGNATION OF PRINCIPAL CAMPAIGN COMMITTEE

7. I hereby designate the following named political committee as my Principal Campaign Committee for the 2016 election(s).
(year of election)

NOTE: This designation should be filed with the appropriate office listed in the instructions.

(a) Name of Committee (In full) PAUL BABEU FOR CONGRESS		
(b) Address (number and street) P.O. BOX 11186		
(c) City, State, and ZIP Code CASA GRANDE AZ 85130		

DESIGNATION OF OTHER AUTHORIZED COMMITTEES

(Including Joint Fundraising Representatives)

8. I hereby authorize the following named committee, which is NOT my principal campaign committee, to receive and expend funds on behalf of my candidacy.

NOTE: This designation should be filed with the principal campaign committee.

(a) Name of Committee (In full)
(b) Address (number and street)
(c) City, State, and ZIP Code

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

Signature of Candidate PAUL RAYMOND BABEU [Electronically Filed]	Date 01/31/2016
--	--------------------

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to penalties of 2 U.S.C. §437g.

--	--	--	--	--	--	--	--	--

FEC FORM 2

STATEMENT OF CANDIDACY

1. (a) Name of Candidate (In full) PAUL RAYMOND BABEU			2. Candidate's FEC Identification Number H2AZ04127	
(b) Address (number and street) 270 E HUNT HWY SUITE 16 #103			<input type="checkbox"/> Check if address changed	
(c) City, State, and ZIP Code SAN TAN VALLEY AZ 85143			3. Is This Statement <input type="checkbox"/> New (N) OR <input checked="" type="checkbox"/> Amended (A)	
4. Party Affiliation REPUBLICAN PARTY	5. Office Sought House	6. State & District of Candidate AZ 01		

DESIGNATION OF PRINCIPAL CAMPAIGN COMMITTEE

7. I hereby designate the following named political committee as my Principal Campaign Committee for the 2016 election(s).
(year of election)

NOTE: This designation should be filed with the appropriate office listed in the instructions.

(a) Name of Committee (In full) PAUL BABEU FOR CONGRESS		
(b) Address (number and street) P.O. BOX 11186		
(c) City, State, and ZIP Code CASA GRANDE AZ 85130		

DESIGNATION OF OTHER AUTHORIZED COMMITTEES

(Including Joint Fundraising Representatives)

8. I hereby authorize the following named committee, which is NOT my principal campaign committee, to receive and expend funds on behalf of my candidacy.

NOTE: This designation should be filed with the principal campaign committee.

(a) Name of Committee (In full)
(b) Address (number and street)
(c) City, State, and ZIP Code

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

Signature of Candidate PAUL RAYMOND BABEU [Electronically Filed]	Date 02/04/2016
--	--------------------

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to penalties of 2 U.S.C. §437g.

--	--	--	--	--	--	--	--	--

170444113300

FEC
FORM 1STATEMENT OF
ORGANIZATION

Office Use Only

1. NAME OF
COMMITTEE (in full)(Check if name
is changed)Example: If typing, type
over the lines.

12FE4M5

Paul Babeu for Congress

ADDRESS (number and street)

P.O. Box 11186

(Check if address
is changed)

Casa Grande

CITY ▲

AZ

STATE ▲

85130

ZIP CODE ▲

COMMITTEE'S E-MAIL ADDRESS

(Check if address
is changed)

tim@timlasota.com

Optional Second E-Mail Address

COMMITTEE'S WEB PAGE ADDRESS (URL)

(Check if address
is changed)

2. DATE

10

05

2015

3. FEC IDENTIFICATION NUMBER ►



C00588673

4. IS THIS STATEMENT



NEW (N)

OR



AMENDED (A)

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer Timothy La Sota

Signature of Treasurer

Timothy La Sota

[Electronically Filed]

Date

10

05

2015

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g.
ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.Office
Use
OnlyFor further information contact:
Federal Election Commission
Toll Free 800-424-9530
Local 202-694-1100FEC FORM 1
(Revised 06/2012)

17044412501-061

**FEC
FORM 1****STATEMENT OF
ORGANIZATION**

Office Use Only

1. NAME OF COMMITTEE (In full) ☐ (Check if name is changed) Example: If typing, type over the lines.

12FE4M5

PAUL BABEU FOR CONGRESS

ADDRESS (number and street)

P.O. BOX 11186

☐ (Check if address is changed)

CASA GRANDE

CITY ▲

AZ

STATE ▲

85130

ZIP CODE ▲

COMMITTEE'S E-MAIL ADDRESS

☒ (Check if address is changed)

tim@timlasota.com

Optional Second E-Mail Address

chris@electioninfo.com

COMMITTEE'S WEB PAGE ADDRESS (URL)

☒ (Check if address is changed)

http://www.sheriffpaul.com/

2. DATE

01

28

2016

3. FEC IDENTIFICATION NUMBER ►

C

C00588673

4. IS THIS STATEMENT



NEW (N)

OR



AMENDED (A)

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer Chris Marston

Signature of Treasurer

Chris Marston

[Electronically Filed]

Date

01

28

2016

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g.
ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.

Office
Use
Only

For further information contact:
Federal Election Commission
Toll Free 800-424-9530
Local 202-694-1100

FEC FORM 1
(Revised 06/2012)

17004441121000

**FEC
FORM 1****STATEMENT OF
ORGANIZATION**

Office Use Only

1. NAME OF COMMITTEE (In full) ☐ (Check if name is changed) Example: If typing, type over the lines.

12FE4M5

PAUL BABEU FOR CONGRESS

ADDRESS (number and street)

P.O. BOX 11186

☐ (Check if address is changed)

CASA GRANDE

CITY ▲

AZ

STATE ▲

85130

ZIP CODE ▲

COMMITTEE'S E-MAIL ADDRESS

☐ (Check if address is changed)

tim@timlasota.com

Optional Second E-Mail Address

chris@electioncfo.com

COMMITTEE'S WEB PAGE ADDRESS (URL)

☐ (Check if address is changed)

http://www.sheriffpaul.com/

2. DATE

MM / DD / YYYY
01 / 28 / 2016

3. FEC IDENTIFICATION NUMBER ►

C

C00588673

4. IS THIS STATEMENT ☐ NEW (N) OR ☒ AMENDED (A)

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer Chris Marston

Signature of Treasurer

Chris Marston

(Electronically Filed)

Date

MM / DD / YYYY
02 / 10 / 2016

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g.
ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.

Office
Use
Only

For further information contact:
Federal Election Commission
Toll Free 800-424-9530
Local 202-694-1100

FEC FORM 1
(Revised 06/2012)

170044411110001